

**WIRELESS CONSUMERS ALLIANCE INC.**

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June 19, 2000

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Notice of Ex Parte Presentation  
WT Docket No. 99-328 (Samsung)

Dear Ms. Salas:

On June 16, 2000, the Wireless Consumers Alliance, Inc. ("Alliance") represented by Carl Hilliard, President, and Jon Linkous met with Blaise Scinto, Deputy Chief, Policy Division, and Patrick Forster, Senior Engineer, of the Wireless Telecommunications Bureau ("Bureau"). The parties discussed the production, sale and distribution of non-compliant phones by Samsung and the need for enforcement of 47 C.F.R § 22.921 by the Bureau. WCA's position is set forth in the written ex parte submission attached hereto.

Pursuant to Section 1.1206 of the Commission's Rules, an original and one copy of this letter is being filed with your office. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

  
Carl Hilliard

cc: Ms. Blaise Sinto  
Mr. Patrick Forster

No. of Copies rec'd 041  
List A B C D E

June 2000

# **WIRELESS CONSUMERS ALLIANCE**

## **DOCKET 99-328 \* SAMSUNG PETITION**

- . 4/13/00 - Samsung files a petition stating that certain of its phones do not comply with 47 C.F.R. § 22.921 however, it intends to continue to manufacture these phones to meet its contractual commitments. Samsung asks for a retroactive waiver continuing until 7/15/00.
- 4/27/00 - Opposition to the petition filed by WCA and NENA.
- 5/5/00 - Samsung files reply stating that the public interest requires continued manufacture and sale of its non-compliant phones.

Page Two

- CMRS Providers turn over their entire inventory of phones every 90 - 120 days.
- Manufacturers are geared to produce up to demand so there is little, if any, inventory.
- There has been a massive promotion of Samsung phones in the last 30 days. (See attached).

**CONCLUSION** - THERE IS A HIGH PROBABILITY THAT NON-COMPLAINT PHONES ARE BEING SOLD TO THE PUBLIC.

Clear wireless minutes. Lots of them.



## 700 minutes for \$39.99 a month. Limited-time offer.

That's  
**400**  
Anytime Minutes  
with an Advantage Agreement  
and  
**300**  
Night & Weekend  
Minutes  
Total of 700 Minutes

Don't miss this special Sprint PCS Free & Clear Plan. For just \$39.99 a month, you get 600 clear wireless minutes. That's 300 Anytime Minutes and 300 Night & Weekend Minutes as your free option. Plus, when you sign up for a one-year Sprint PCS Advantage Agreement™, you'll get an additional 100 Anytime Minutes as your second option, for a total of 700 minutes. That's a lot of airtime. And you can use it anywhere on our nationwide network.

- This service plan is good for as long as you're a customer and includes features like Voicemail and Caller ID that work the same way wherever you are on our network.

- Or, for the same price, choose the Long Distance option and get 400 Anytime Minutes a month with a Sprint PCS Advantage Agreement, good for calls to anywhere in the U.S. from anywhere on our nationwide network.

Sprint PCS built the only all-digital, all-PCS nationwide network from the ground up, serving more than 300 major metropolitan areas. **Hear the difference for yourself.**

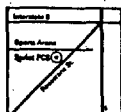


The clear alternative to cellular.™

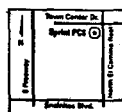
**Sprint PCS®**

To find out more or to order your phone with free delivery, call **1-800-480-4PCS**, visit [www.sprintpcs.com](http://www.sprintpcs.com) or stop by one of the locations below:

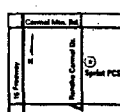
### Sprint PCS Centers:



**SAN DIEGO**  
3550-C Rosecrans St.



**ENCINITAS**  
1042-F N. El Camino Real



**CARMEI MOUNTAIN RANCH**  
10195 Rancho Carmel Dr.

### Sprint PCS Express Store:



**SAN DIEGO**  
7710 Hazard Center Dr.,  
Ste. A

### Also available at:

**CIRCUIT CITY**  
**the good guys**

**POW**  
STUDIO/VISIO  
**Fry's**  
**ROBINSONS-MAY**

### Sprint PCS Retail Express Locations:

Chula Vista Mall  
Fashion Valley Mall  
Horton Plaza Mall

Mission Valley Center  
North County Fair Mall  
Parkway Plaza Mall

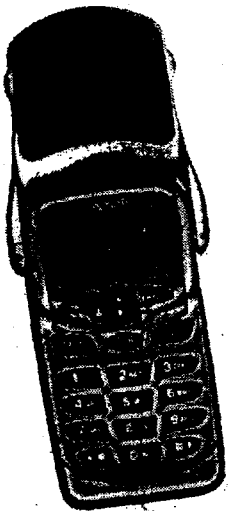
The Sprint Store At  
**RadioShack.**

AOL Keyword: Sprint PCS

Plaza Bonita  
Plaza Camino Real  
University Towne Centre

Promotional \$39.99 plan offer expires July 2, 2000. Additional 100 Anytime Minutes are available only on the \$39.99 plan as a second free option with a one-year Sprint PCS Advantage Agreement™. If the 100 Anytime Minutes option is selected as the second free option, additional options must be purchased separately. Benefits of the 100 additional Anytime Minutes continue as long as customer remains on the \$39.99 plan. A \$150 early termination fee applies to the Sprint PCS Advantage Agreement. A complete statement of the terms and restrictions of the Sprint PCS Free & Clear Plan is available in the Sprint PCS Clear and Simple Facts Guide. A nonrefundable \$29.99 phone activation fee applies. Sprint PCS Add-a-Phone™ not available with the \$39.99 plan. All plans subject to credit approval. Roaming calls and minutes in excess of plan minutes are not included in Sprint PCS Free & Clear Options. If the Long Distance option is not selected, \$0.15-per-minute domestic long-distance charges apply when calling long distance from the Sprint PCS Nationwide Network. Night & Weekend hours are M-Th 8pm-7am and F 8pm-7am. Included minutes are not good for calls made while roaming off the Sprint PCS Nationwide Network, whether local or long distance. Roaming calls are charged at \$0.69 per minute or \$0.39 per minute, depending

**\$50 Good Guys mail-in rebate**  
**with purchase of ANY**  
**AT&T, CELLULAR ONE or SPRINT wireless phone**



**149<sup>99</sup>**

**Sprint**  
**Sprint PCS™**  
**Web Browsing,**  
**Voice Dialing**  
**Wireless Phone**

The dual mode/dual band allows you to talk virtually anywhere. This phone also has a digital voice memo recorder, and, vibrate alert. Features up to 2 1/2 hours of talk time and 5 1/2 days of standby time. SCH3500SHS

Advertised prices for cellular phones are conditioned upon subscription for a minimum period to a qualifying cellular phone service plan offered through Good Guys! If you do not subscribe to a qualifying plan, your purchase price will be higher. Credit approval & possible carrier deposit may be required at time of purchase. Activation and early termination fees may apply.

**Sprint**  
**Sprint PCS**

**180 minutes**  
**for \$29<sup>99</sup>**

**Includes your choice of**  
**Long Distance,**  
**Equal Nights & Minutes or**  
**Sprint PCS Wireless Web**

# Office DEPOT®

Taking Care of Business

## Clearly A Great Deal!

Sprint PCS® "The Clear Alternative To Cellular™"  
And A \$30 Office DEPOT Money Card



**\$50 A Month  
For 500 Minutes**

**Sprint.**  
Sprint PCS®

**SAMSUNG**  
ELECTRONICS

**3500**

- Dual mode phone
- Wireless Web ready
- Voice memo
- Voice activated dialing
- 14 ring tones
- Stores 179 names and numbers
- Voicemail, Caller ID

213-331 ..... **149.99**  
Available in store only, at select locations.

**\$30**  
Office Depot  
Money Card With  
ANY Sprint Phone  
Purchase

**Office  
DEPOT.**  
MONEY CARD

FREE \$30 Office Depot Money Card offer good with the purchase of ANY Sprint phone. Money Card may not be used toward current PCS phone purchase. Present this coupon at time of purchase. Limit one coupon per customer/item. Quantities limited. Sorry, no rainchecks or substitutions. Valid for in-stock items only. Offer expires 6/25/00. Coupon redeemable in store only.

**Office DEPOT.**

Coupon Code 5115

## \$50/500 Minutes A Month

Get a FREE option at no additional charge:

**Long Distance OR Night & Weekend Minutes OR Sprint PCS Wireless Web™**



### Low Price Guarantee

It's this simple: If you find the same item advertised locally for less at any other office product supplier - even up to 7 days after you bought it - we'll not only match that price, we'll give you 55% of the difference - Instantly! Just give us the details - And we'll take your word for it! (Maximum \$55 credit. We reserve the right to limit quantities. Of course. Internet offers, ad errors, cellular service, close-outs, and clearances do not qualify. In-stock items only.)

### Delivery Free Next Day

Order by 5 p.m. your time and we'll deliver your order FREE the next business day. Free next business day delivery available on orders of \$50 or more in most areas. Call for details. Need it faster? You can have your order ready for same-day pickup at any of our 800 superstores.

### Shopping Fast & Easy

- Call 24 hours a day 1-888-GO-DEPOT (1-888-463-3768)
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Prices and offers good 5/26/00 through 6/1/00 (unless otherwise noted). Quantities limited. Offers limited to in-stock items only. No rainchecks or substitutions. Rebate forms available in store only.

# Doesn't Dad deserve the very best?

**Get him a Sprint PCS wireless phone with Internet access.**

Sprint PCS  
built the only all-digital, all-PCS  
nationwide network from the  
ground up.



## ACT NOW

Get a

## \$30 CREDIT

**on your first Sprint PCS bill when you activate by Father's Day (6/18/00).**

**PLUS: FREE car cord, carry case and handsfree earset with purchase of a Sprint PCS phone.**  
**FOR A LIMITED TIME! See a salesperson for details.**

**Sprint**

**Samsung Sprint PCS Phone**

Wireless web capable  
Supports voicemail and Caller ID  
Voice recognition dialing

**\$149.99 (SCH3500)**

**Stop in to see our selection of other Sprint PCS phones.**

SAMSUNG

Offer valid from 6/4/00 - 6/18/00. Good at participating locations. All products subject to prior sale. All promotional offers subject to change without notice. Photography shown is representational. We reserve the right to correct and/or clarify errors due to typography, photography, or printing. Prices subject to change without notice. Limited quantities. ©2000 Tweeter Home Entertainment Group

Chula Vista 1218 Broadway (Broadway and Palomar) (619) 426-0300  
Clairemont 5504 Balboa Ave. (NE corner of Balboa and Genesee) (858) 277-8003  
College Area 4404 El Cajon Blvd. (next to Pearson Ford) (619) 283-2325  
El Cajon 350 N. 2nd St. (1/4 mile S of Hwy 8) (619) 444-6177  
Encinitas 146 N. El Camino Real (Weigand Plaza) (760) 634-1112  
Escondido 1356 W. Valley Parkway (between Auto Parkway and 9th) (760) 747-8700  
Rancho del Rey 865 East H Street (between Home Depot and COSTCO) (619) 656-9700  
Sports Arena 3445 Sports Arena Blvd. (next to Mervyn's) (619) 226-3500  
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1257

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**POW**  
**STEREO/VIDEO**

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**DOW STEREO/VIDEO WILL CHANGE OUR NAME TO TWEETER THIS SUMMER**

# LIMITED-TIME OFFER

## ONLY AT SPRINT STORES



### Free Earbud Headset and three free months of Roadside Rescue.

In support of Wireless Safety Week, we're offering a free earbud and three months of Roadside Rescue. Just purchase a select Sprint PCS Phone™ and choose the Roadside Rescue option and a Sprint PCS Free & Clear Plan of \$29.99 or more.

This special offer is part of our effort to support the safe use of wireless phones. Earbud headsets keep your hands free while you drive. And Roadside Rescue Service gives you peace of mind on the road.

Sprint PCS built the only all-digital, all-PCS nationwide network from the ground up, serving more than 300 major metropolitan areas. **Hear the difference today.**

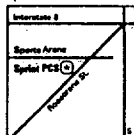


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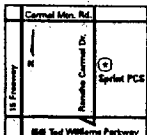
**Sprint PCS®**

**Sprint Stores:** Best selection, knowledgeable sales representatives and superior value.

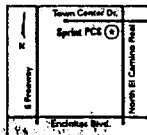
**Sprint PCS Centers:**



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(619) 223-3000

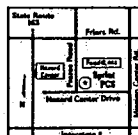


**CARMEL MOUNTAIN RANCH**  
10195 Rancho Carmel Dr.  
(858) 618-2160



**ENCINITAS**  
1843 E. N. El Camino Real  
(760) 632-3500

**Sprint PCS Express Store:**



**SAN DIEGO**  
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**Also available at Sprint PCS Retail Express Locations:**

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Fashion Valley Mall  
(619) 291-8657

Heron Plaza Mall  
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Mission Valley Center  
(619) 297-4046

North County Fair Mall  
(760) 745-9835  
Parkway Plaza Mall  
(619) 593-0453

Plaza Bonita  
(619) 267-9439  
Plaza Camino Real  
(760) 730-3809

**AOL Keyword: Sprint PCS**

University Towne Centre  
(858) 457-1597

Offer expires 6/4/2000. Restrictions apply. A complete statement of the terms and restrictions of the Sprint PCS Free & Clear Plan is available in the Sprint PCS Clear and Simple Facts Guide. Free Earbud Headset offer available while supplies last on the following phones: all Sprint PCS Touchpoint Phones™; all Sprint PCS Phones™ by Sanyo™; all Sprint PCS Phones by Samsung™ models 2000 and higher; and Sprint PCS Phones by Motorola™ models ST7762, ST7862, P8167 and T8167. Availability of phones may vary by location. Plans subject to credit approval. A nonrefundable \$29.99 phone activation fee applies. Following three months of free Roadside Rescue, you will be invoiced, beginning with your fourth full month of service, for the standard Roadside Rescue fee of \$3.00 per month. Roadside Rescue is not available in markets serviced by certain affiliated carriers. Customers already enrolled in Roadside Rescue and Prepaid customers are not eligible for the three months of free service. See Sprint Stores for details. ©2000 Sprint Spectrum L.P. All rights reserved. Sprint, Sprint PCS, Sprint PCS Phone and the diamond logo are trademarks of Sprint Communications Company L.P.



# SPRINT PCS TRIPLE BONUS

**\$30 ROBINSONS-MAY GIFT CARD,  
FREE CASE & ADAPTER (39.99 VALUE)  
\$30 SERVICE CREDIT FROM SPRINT**



**Sprint. Sprint PCS™**

*"The clear alternative to cellular.™"*

## SPRINT PCS FREE AND CLEAR PLAN™

FREE LONG DISTANCE CLEAR CALLING

CALL ANYTIME, ANYWHERE FOR AS  
LITTLE AS A DIME PER MINUTE  
ANYTIME STARTING AT

Limited  
Time  
Offer

**39.99/ 700**  
A MONTH MINUTES

- Get 700 minutes for 39.99 with this special Sprint PCS Free & Clear Plan
- That's 300 anytime minutes, 300 night & weekend minutes plus 100 additional anytime minutes with a Sprint PCS Advantage Agreement.
- Voice Mail, caller ID, Call Waiting  
See In-store materials for details.

## THE POWER OF THE INTERNET, NOW IN YOUR HAND WITH THE SPRINT PCS WIRELESS WEB™

Wireless Web access starts at 9.99 and you get:  
e-mail • stock quotes • news, sports & more  
with your wireless phone!

**SALE 149.99**  
**SAMSUNG 3500**

Reg. 169.99

- dual band
- 2½ hours talk time
- 140 hours stand by
- headset jack
- data capable
- voice activated
- internet ready

Amount of gift card will be deducted from any returned Sprint phone. \$29.99 activation fee required.  
Original prices are offering prices only and may or may not have resulted in sales.  
Advertised merchandise may be on sale in the future.

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THIS IS WHERE IT GETS GOOD